

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

LOCATION: MACOMB TOWNSHIP MEETING CHAMBERS  
19925 TWENTY-THREE MILE ROAD  
MACOMB, MICHIGAN 48042

PRESENT: JOHN D. BRENNAN, SUPERVISOR  
MICHAEL KOEHS, CLERK  
MARIE MALBURG, TREASURER  
TRUSTEES: KENNETH MEERSCHAERT, JR.  
JANET DUNN  
DINO F. BUCCI, JR.  
CHARLES OLIVER

ABSENT: None.

Also in attendance: Larry Dloski, Township Attorney  
Jim VanTiflin, Township Engineer  
Jack Dailey, Community Planning Consultant  
(Additional attendance record on file with Clerk)

CALL MEETING TO ORDER

PLEDGE OF ALLEGIANCE

1. ROLL CALL

Clerk KOEHS called the roll. All members present.

2. Approval of Agenda Items (with any addendum)

**MOTION by DUNN seconded by KOEHS to approve the October 23, 2002 Agenda as submitted.**

**MOTION carried.**

3. Approval of Bills

**MOTION by OLIVER seconded by BUCCI to approve the bills as submitted**

**FOR THIS MOTION: OLIVER, BUCCI, DUNN, MEERSCHAERT, MALBURG, KOEHS, BRENNAN.**

**OPPOSED: NONE.**

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

**MOTION carried.**

4. Approval of Meeting Minutes

**MOTION by DUNN seconded by MEERSCHAERT to approve the revised Meeting Minutes of October 9, 2002 as submitted.**

**MOTION carried.**

5. Department Monthly Reports
- a. Macomb County Sheriffs Department
  - b. Building Department
  - c. Fire Department
  - d. Water/Sewer Department
  - e. Parks and Recreation Department

**MOTION by OLIVER seconded by MALBURG to approve the Department Monthly reports as submitted.**

**MOTION carried.**

6. Public Comments (Non Agenda items only - 3 minute time limit) None.

**PUBLIC HEARING:**

7. Cluster Housing Amendments to the Macomb Township Zoning Ordinance # 10.

Supervisor BRENNAN reviewed the request and held further discussion with Larry Dloski, Township Attorney.

**MOTIONS by KOEHS seconded by DUNN to table per legal counsel request the Cluster Housing Amendments to the Macomb Township Zoning Ordinance # 10.**

**MOTION carried.**

**PLANNING COMMISSION:**

8. Final Preliminary Plat; Sycamore Estates Subdivision; Located on the east side of Card Road and 22 Mile Road; Section 26; Polaris Development, Petitioner. Permanent Parcel No. 08-26-100-001.

Jack Dailey, Community Planning Consultant reviewed the request.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

Petitioner: Paul O'Reilly, representative, present.

Public Portion: Benjamin J. Aloia, and Ed Tatem, representatives of the Road Commission of Macomb County held a detailed discussion with the members of the Board requesting that the current proposal be denied. Fred Franzel, representative on behalf of an adjacent property owner, held a detailed discussion addressing issues of concern and stated his recommendation to the members of the Board. Larry Dloski, Township Attorney reviewed the proposal with the members of the Board and stated his recommendation.

**MOTION by DUNN seconded by BUCCI to follow the recommendation of legal counsel, to approve the Final Preliminary Plat; Sycamore Estates Subdivision; Located on the east side of Card Road and 22 Mile Road; Section 26; Polaris Development, Petitioner. Permanent Parcel No. 08-26-100-001.**

**MOTION carried.**

9. Final Preliminary Plat; Westwood Pointe Subdivision; Located on the north side of 23 Mile Road and approximately  $\frac{3}{4}$  mile east of Romeo Plank Road; Section 16; Donald West, Petitioner. Permanent Parcel No. 08-16-100-019.

Jack Dailey, Community Planning Consultant reviewed the request.

Petitioner: Peter Snyder, representative, present.

Public Portion: None.

**MOTION by OLIVER seconded by MALBURG to approve the Final Preliminary Plat; Westwood Pointe Subdivision; Located on the north side of 23 Mile Road and approximately  $\frac{3}{4}$  mile east of Romeo Plank Road; Section 16; Donald West, Petitioner. Permanent Parcel No. 08-16-100-019.**

**MOTION carried.**

**NEW BUSINESS:**

10. Request to Authorize Township Attorney to Defend; BROTHERHOOD MUTUAL INSURANCE COMPANY, as Subrogee OF IMMANUEL LUTHERAN CHURCH AND SCHOOL v M.T.

Supervisor BRENNAN reviewed the item and held further discussion with the members of the Board.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

**MOTION by DUNN seconded by MEERSCHAERT to approve the Request to Authorize Township Attorney to Defend; BROTHERHOOD MUTUAL INSURANCE COMPANY, as Subrogee OF IMMANUEL LUTHERAN CHURCH AND SCHOOL v M.T.**

**MOTION carried.**

11. Road Commission of Macomb County request to install sidewalk. Address: 21470 Vesper Drive Lot # 145.

Supervisor BRENNAN reviewed the sidewalk issue, cost estimates and reviewed what the township will be responsible to pay for and held further discussion with the members of the Board.

Public Portion: None.

**MOTION by OLIVER seconded by MEERSCHAERT to approve the Road Commission of Macomb County request to install sidewalk. Address: 21470 Vesper Drive Lot # 145.**

**MOTION carried.**

- 11a. Inspection Service Agreement

Supervisor BRENNAN reviewed the request with the members of the Board.

**MOTION by DUNN seconded by MEERSCHAERT to approve the Greater Detroit Heating and Cooling Inspection Service Agreement total cost of Four Thousand fifty seven dollars and 00/100 (\$4,057.00) and the additional Option Plan # 1 Filter Service for (33) Fan Powered Air Terminal Units: One change annually for a total cost of nine hundred and thirty dollars (\$930.00) as discussed.**

**MOTION carried.**

12. Removed see agenda number 19.

**FIRE DEPARTMENT:**

13. Presentation of Life Saving Ribbons to department personnel.

Ray Ahonen, Fire Department Chief held a detailed discussion reviewing the incident of August 4, 2002 of the Murray family. Mr. Ahonen reviewed the personnel directly involved in the successful outcome of August 4, 2002 incident as follows: Assistance Chief Kenneth Meerschaert – Airway and C.P.R, Firefighter Paul Grabowski – initiated

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

C.P.R, Firefighter Geoffrey Smith – A.E.D and C.P.R, Firefighter Ed Teller – Airway and C.P.R., and Firefighter Rich Maierle – Airway Management. Mr. Ahonen awarded metals to the Fire Department Staff.

Public Portion: The Murray family held further discussion of the incident and stated a special thank you for the wonderful services received from the Macomb Township Fire Department Staff.

14. Resignations of firefighter.

Ray Ahonen, Fire Department Chief held further discussion reviewing the Resignation date of October 1, 2002 of firefighter Michael Dew and reviewed his request thanking the Macomb Township Board, Chief Ahonen and Assistant Chief Meerschaert for the opportunity to serve the Township through the Fire Department.

15. Request to purchase Laptop computer.

Ray Ahonen, fire Department Chief reviewed the request to the members of the Board and held further discussion.

Public Portion: Olive P. Kulhanek, Township Resident stated that she would like to donate two hundred and fifty dollars to the Macomb Township Fire Department as a special thank you for their services. The Macomb Township Fire Department and members of the Township Board thanked Mrs. Kulhanek for her special thoughtfulness towards the Macomb Township Fire Department.

**MOTION by DUNN seconded by KOEHS to approve the Request to purchase the Gateway 450L Laptop computer total cost of two thousand ninety five dollars and 00/100 (\$2,095.00) including shipping and handling as submitted.**

**MOTION carried.**

15a. Request to hire additional Fire Department employee

Ray Ahonen, Fire Department Chief reviewed the request with the members of the Board.

**MOTION by KOEHS seconded by DUNN to authorize the Fire Department Chief to start the process for the hiring of ten (10) Fire Fighters.**

**MOTION carried.**

**PARK AND RECREATION DEPARTMENT:**

16. Request to send two employees to the Programmers Workshop.

Salvatore DiCaro, Park & Recreation Director reviewed request with the members of the Board.

**MOTION by OLIVER seconded by MEERSCHAERT to approve the Park & Recreation Department Request to send Tracy Shanley, and Jerry Krawchuk to the Programmers Workshop for a total cost of one hundred seventy dollars and 00/100 (\$170.00) plus mileage and one meal per employee.**

**MOTION carried.**

**WATER/SEWER DEPARTMENT:**

17. Release of Bond for Temporary Cement Batch Plant: Urban Meadows Subdivision. Florence Cement Company, Petitioner.

**MOTION by MEERSCHAERT seconded by BUCCI to approve the Release of Bond for Temporary Cement Batch Plant: Urban Meadows Subdivision. Florence Cement Company, Petitioner.**

**MOTION carried.**

18. Easement Encroachment Agreement, Victory Homes of Macomb, 5108 23 Mile Road, Shelby, MI 48316, Parcel ID # 08-34-200-011.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by BUCCI seconded by MEERSCHAERT to approve the Easement Encroachment Agreement, Victory Homes of Macomb, 5108 23 Mile Road, Shelby, MI 48316, Parcel ID # 08-34-200-011.**

**MOTION carried.**

- 18a Easement Encroachment, Lot 69 Verona Park Subdivision No. 1 Parcel number 08-07-276-005.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by MEERSCHAERT seconded by MALBURG to approve the Easement Encroachment, Lot 69 Verona Park Subdivision No. 1 Parcel number 08-07-276-005.**

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

**MOTION carried.**

19. Request for Sanitary Sewer Special Assessment District (SAD), 24 Mile and Broughton.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by MEERSCHAERT seconded by MALBURG to authorize the Township Clerk to direct the Township Attorney to direct Greco Title Company to perform a title search and prepare a formal petition.**

**MOTION carried.**

20. Pay Certificate # 10, Macomb Township Civic Center, DiPonio Contracting.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by DUNN seconded by MEERSCHAERT to approve the Pay Certificate # 10, Macomb Township Civic Center, DiPonio Contracting.**

**MOTION carried.**

21. Request for a Temporary Batch Plant:  
A. John Carlo, Inc: Parks of Riverside Subdivision.  
B. Tony Angelo Cement Construction Company: Wingate Farms Subdivision.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by DUNN seconded by KOEHS to approve the Request for a Temporary Batch Plant John Carlo, Inc: Parks of Riverside Subdivision for a period of sixty days (60) starting from October 23, 2002.**

**MOTION carried**

**MOTION by MEERSCHAERT seconded by BUCCI to table to the next Township Board meeting of November 13, 2002 the Request for a Temporary Batch Plant Tony Angelo Cement Construction Company: Wingate Farms Subdivision.**

**MOTION carried.**

22. Request for a Temporary Batch Plant:  
A. John Carlo, Inc: Twin Rivers Subdivision.

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by DUNN seconded by MEERSCHAERT to table indefinitely the Request for a Temporary Batch Plant John Carlo, Inc: Twin Rivers Subdivision.**

**MOTION carried.**

23. Approval of Purchase Requisitions:  
A. SLC Meter Services Inc.

David Koss, Water and Sewer Department Superintendent reviewed the request.

**MOTION by MEERSCHAERT seconded by MALBURG to approve the Approval of Purchase Requisitions SLC Meter Services Inc.**

**MOTION carried.**

- 23b. Snow Maintenance Equipment

**MOTION by OLIVER seconded by MALBURG to approve the Snow Maintenance Equipment Quote for Tailgate Spreader Knapheide Truck Equipment in the amount of five thousand eight hundred and fifty sin dollars and 00/100 (\$5,856.00) as discussed.**

**MOTION carried.**

**BOARD COMMENTS:**

24. Supervisor Comments

- 24a. Request authorization to defend Lakeside Parkway Plaza vs. M.T. Michigan Tax Tribunal.

**MOTION by KOEHS seconded by DUNN to approve the request to authorize the attorney to defend Lakeside Parkway Plaza vs. M.T. Michigan Tax Tribunal.**

**MOTION carried.**

- 24b. Request to approve the Hold Harmless Agreement with the Road Commission of Macomb County regarding the weather Warning Sirens.

**MOTION by DUNN seconded by MLABURG to approve the Request to approve the Hold Harmless Agreement with the Road Commission of Macomb County regarding the weather Warning Sirens.**



MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

**MOTION carried.**

- 24c. Authorize Township Attorney to file the Claim of Appeal regarding SMDA vs. M.T.

**MOTION by DUNN seconded KOEHS to Authorize the Township Attorney to file the claim of appeal regarding SMDA vs. M.T.**

**FOR THIS MOTION: DUNN, KOEHS, MEERSCHAERT, OLIVER, BUCCI, MALBURG, BRENNAN.**

**OPPOSED: NONE.**

**MOTION carried.**

- 24d. Request to approve the Hold Harmless Fiber optic line Agreement location with The Road Commission of Macomb County.

**MOTION by KOEHS seconded by MEERSCHAERT to approve Hold Harmless Fiber optic line Agreement location with The Road Commission of Macomb County.**

**MOTION carried.**

25. Clerk's Comments

- 25a. Annual Support Agreement with FORMUNIS.

**MOTION by MEERSCHAERT seconded by DUNN to approve the to approve the Annual Support Agreement with FORMUNIS as discussed.**

**MOTION carried.**

26. Treasurer's Comments

Marie Malburg, Township Treasure reviewed the three dollar (\$3.00) fee per parcel of land cost factor for the summer taxes.

**MOTION by MEERSCHAERT seconded by BUCCI to authorize the Township to collect the summer 2003 tax bill for Macomb Intermediate School District at three dollars (\$3.00) per parcel.**

**MOTION carried.**

27. Trustee's Comments

MACOMB TOWNSHIP BOARD OF TRUSTEES REGULAR MEETING HELD ON  
WEDNESDAY OCTOBER 23, 2002  
AT 7:00 P.M.

Member OLIVER along with the other members of the Board stated that they are happy to be in the new Township Hall Building.

**EXECUTIVE SESSION:**

**ADJOURNMENT**

**MOTION by MEERSCHAERT seconded by KOEHS to adjourn the meeting at 8:13 P.M.**

**MOTION carried.**

Respectfully,

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John D. Brennan, Supervisor

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Michael D. Koehs, Clerk  
Gabrielle M. Baker, Recording Secretary  
MDK/gmb